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FILED
DISTRICT COURT OF GUAM
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MARY L. M. MORAN
CLERK OF COURT

71

Attorneys for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES
DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU
SADHWANI, and K. SADHWANI'S
INC., a Guam corporation,

Plaintiffs,

vs.

HONGKONG AND SHANGHAI
BANKING CORPORATION, LTD., a
Foreign corporation,
JOHN DOE I through JOHN DOE X,

Defendants.

) CIVIL CASE NO. 03-00036
)
) **DECLARATION OF ANITA P.**
) **ARRIOLA IN SUPPORT OF**
) **PLAINTIFFS' OPPOSITION TO**
) **DEFENDANT HONG KONG AND**
) **SHANGHAI BANKING CORPORATION**
) **LTD.'S MOTION TO STAY ALL**
) **DEPOSITIONS PENDING**
) **DETERMINATION OF ITS MOTION**
) **TO DISMISS**
)
)
)

ANITA P. ARRIOLA declares:

1. I am an attorney for plaintiffs Alan Sadhwani, Laju Sadhwani and K. Sadhwani's Inc. in the above-captioned case. I make this Declaration in support of Plaintiffs' Opposition to Defendant Hong Kong and Shanghai Banking Corporation Ltd.'s, ("HSBC") Motion to Stay all Depositions pending determination of its Motion to Dismiss. I have personal knowledge of the facts contained herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of a letter dated March 2, 2004 from Jacques Bronze to Anita Arriola.

ORIGINAL

3. Attached hereto as Exhibit 2 is a true and correct copy of a letter dated March 8, 2004 from me to Jacques Bronze.

4. Attached hereto as Exhibit 3 is a true and correct copy of a letter dated March 9, 2004 from Jacques Bronze to Anita Arriola.

5. Attached hereto as Exhibit 4 is a true and correct copy of a letter dated March 10, 2004 from Anita Arriola to Jacques Bronze.

6. In a telephone conversation on March 12, 2004, Mr. Bronze requested that plaintiffs schedule the depositions of his clients Chris Underwood and Fred Granillo the week of May 3, 2004. I agreed. In addition, in order to accommodate Mr. Bronze's personal travel plans, we agreed that plaintiffs would take the depositions of other Guam witnesses beginning April 28, 2004. Mr. Bronze also stated that he wanted to take the deposition of Chris Felix on March 22, 2004. I agreed.

7. Attached hereto as Exhibit 5 is a true and correct copy of a letter dated March 16, 2004 from Anita Arriola to Jacques Bronze.

8. Attached hereto as Exhibit 6 is a true and correct copy of a letter dated March 17, 2004 from Jacques Bronze to Anita Arriola.

9. Attached hereto as Exhibit 7 is a true and correct copy of a letter dated March 17, 2004 from Anita Arriola to Jacques Bronze.

10. Attached hereto as Exhibits 8 and 9 are Notices of Depositions for Chris Underwood and Fred Granillo, which were served on Jacques Bronze on March 13, 2004.

11. Attached hereto as Exhibit 10 is a Deposition Subpoena for Joseph K. Fang, the owner of Paradise Marine Corporation, to take his deposition on April 28, 2004, Mr. Fang's counsel Duncan McCully requested that the deposition be continued to May 7, 2004. I agreed, as did Jacques

Bronze. Attached hereto as Exhibit 11 is a true and correct copy of a letter dated March 23, 2004 from Jacques Bronze to Anita Arriola agreeing to the deposition of Mr. Fang on May 7, 2004.

12. Attached hereto as Exhibit 12 is an Amended Notice of Deposition for Mr. Fang's deposition, which was served on Mr. Bronze on March 25, 2004.

13. During all of the discussions and negotiations for the taking of the depositions of Chris Underwood, Fred Granillo and Joseph Fang, at no time did Mr. Bronze indicate that a stay of depositions was necessary or desirable for his client. Mr. Bronze also did not indicate that he would reserve the right to re-depose the same witnesses whose depositions had already been scheduled until after the agreement regarding the taking of the depositions was already reached.

14. It was not until after plaintiffs filed their ex parte application for a Letter of Request to take the depositions of Magnus Montan and Christopher Page in Hongkong that Mr. Bronze decided that his client needed a stay of depositions. Yet HSBC did not object to issuance of the Letter of Request sought by plaintiffs. Attached hereto as Exhibit 13 is a true and correct copy of a letter from Jacques Bronze dated March 29, 2004. These actions are directly contrary to the position it now seeks, which is to stay the depositions.

15. From the inception of this case, HSBC's tactic in discovery has been to stall and elay, and to avoid its discovery obligations unless plaintiffs demand adequate responses or threaten to file motions to compel. Plaintiffs therefore view HSBC's motion with great skepticism and submit that the motion is filed in order to delay discovery and continue the trial date.

16. HSBC's Initial Disclosures served on December 12, 2003 failed to provide the addresses and phone numbers of persons who had substantial information about the case and failed to provide a summary of the information possessed by such individuals, in violation of F.R.C.P.

26(a)(1). A. Arriola Decl. After demands by plaintiffs, HSBC finally served Supplemental Initial Disclosures on February 11, 2004 with the required information.

17. HSBC refused to answer plaintiffs' first set of interrogatories and first set of requests for production of documents unless plaintiffs stipulated to a protective order. After months of wrangling about the terms of the protective order, the parties submitted a Stipulated Protective Order Governing Discovery to the Court. Even after the Court signed the Protective Order, HSBC delayed until plaintiffs demanded responses to their first set of discovery requests. In addition, it was not until plaintiffs' counsel pointed out that numerous documents were missing or not provided after receiving HSBC's first supplemental responses and objections that HSBC provided second supplemental responses and objections.

18. Plaintiffs also challenged HSBC's answers and objections to plaintiffs' second set of interrogatories and second set of requests for production of documents, as HSBC did not reference specific documents in their responses but merely pointed plaintiffs to numerous documents that had been previously produced. As a result of plaintiffs' insistence, HSBC served amended responses to the second set of discovery requests with appropriate responses.

19. More recently, HSBC refused to produce voluntarily the two individuals residing in Hong Kong, Magnus Montan and Christopher Page, who were intimately involved in the sale of plaintiffs' Loan. (Exhibit 1 to this Declaration). HSBC demanded that plaintiffs obtain a Letter of Request to take the depositions of such individuals. Plaintiffs therefore went to great trouble and expense in obtaining the Letter of Request, (including retaining Hong Kong counsel), and now HSBC is demanding a stay of all depositions.

20. Given all of HSBC's dilatory tactics in this case, plaintiffs submit that HSBC's motion to stay all depositions is merely another tactic to stall and delay the resolution of this case. The Court should not countenance such behavior and should deny the motion.

21. I have had a great deal of experience in obtaining Letters of Request to take the depositions of witnesses in foreign countries. From this experience, I am aware that each country has its own peculiarities and requirements for the depositions of its residents. I am informed by my co-counsel in Hong Kong Andrew Chan that once a Letter of Request is obtained from this Court, it may take weeks or months for the judicial authority in Hong Kong to issue an order allowing depositions to proceed there. If the witnesses object to their depositions, this will result in further delay. Consequently, if a stay is granted by the Court in this case, the depositions of witnesses in foreign countries will likely be delayed indefinitely.

I declare under penalty of perjury under the laws of Guam and the United States that the foregoing is true and correct.

Dated this 2nd day of April, 2004.


ANITA P. ARRIOLA

CERTIFICATE OF SERVICE

I, ANITA P. ARRIOLA, hereby certify that on April 2, 2004, I caused to be served via hand delivery, a **DECLARATION OF ANITA P. ARRIOLA IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT HONG KONG AND SHANGHAI BANKING CORPORATION LTD.'S MOTION TO STAY ALL DEPOSITIONS PENDING DETERMINATION OF ITS MOTION TO DISMISS** to:

Jacques A. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

Dated this 2nd day of April, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

LAW OFFICES
BRONZE & TANG
A PROFESSIONAL CORPORATION
BANKPACIFIC BUILDING, 2ND FLOOR
825 SOUTH MARINE DRIVE
TAMUNING, GUAM 96913

JACQUES G. BRONZE
JERRY J. TANG

TELEPHONE: (671) 646-2001
TELECOPIER: (671) 647-7671

March 2, 2004

VIA: FACSIMILE
(671) 477-9734

Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

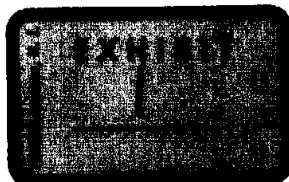
Re: Sadhwani, et al. v. HSBC, et al.; Civil Case No. 03-00036

Dear Anita:

I am in receipt of your letter dated March 1, 2004 addressed to Richard Pipes. I want to note for the record that only Magnus Montan, Christopher Page, Guy Priestley and Anthony Wise are currently officers in the employment of HSBC P.L.C.. HSBC has no control over all these other former employees identified in your letter. Please be also advised that Mr. Hee K. Cho has never been an officer of HSBC, but rather was one of the individuals who had made an offer to purchase the property of your client. To the extent that you still wish to depose Mr. Cho, HSBC has no problem with that.

To the extent that you wish to engage in foreign discovery such as deposing Messrs. Montan, Page and Priestley, HSBC would require you to comply with the procedures as set forth in FRCP 28(b). To the extent that FRCP 28(b)(2) requires that the parties file a Letter of Request, then your client will have to undertake such steps since HSBC will not stipulate to the Letter of Request. I want to also note for the record that Mr. Priestley is not employed by HSBC in Hongkong, but rather by HSBC Pakistan where he is the Country Manager. Thus, any Letters of Request would have to be processed taking the above into consideration.

In regards to the fourth sentence of your letter, it is not clear what you mean. This office represents HSBC and to the extent that you are seeking to depose current officers of HSBC regarding the substance of this lawsuit, then this firm will be defending such depositions. To the extent that you wish to



Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
March 2, 2004
Page 2

depose former employees of HSBC, HSBC has no control over them, but should you be successful in getting their cooperation for a deposition, HSBC is entitled to notice and will likely attend the depositions.

Since Mr. Cho and Mr. Lawrence M. Zhang are witnesses in the U.S., please advise if you have any target date in March to conduct such depositions since I am in the process of planning a two-week trip the first part of April to visit an ailing parent.

I also want to depose Mr. Christopher Felix in the next few weeks, please provide me with a few dates which you are available to attend the deposition.

Please feel free to contact me if you have any questions regarding the above matter.

Best regards,



JACQUES G. BRONZE

cc: Chris Underwood

JOB:tc

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Law Offices

Arriola, Cowan & Arriola

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Anita P. Arriola
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Jacqueline T. Terlaje

March 8, 2004

VIA FACSIMILE: (671) 647-7671

Jacques G. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

**Re: Sadhwani et al. v. Hongkong Shanghai Banking Corporation, Ltd., et.al,
District Court of Guam, Civil Case No. CV03-00036**

Dear Jacques:

This is in response to your letter of February 27, 2004.

I waited to respond to your letter because I had arranged with Duncan McCully to inspect and copy certain documents at his office last Friday relating to this matter. My review of those documents confirms my suspicions that you and your client have not provided all documents responsive to plaintiffs' first and second set of requests for production of documents. There is correspondence in the files that indicates you reviewed the files at Mr. McCully's office and that you copied certain documents in order to respond to the plaintiffs' document requests. Thus, your objection that HSBC does not have any "control" of the bank's documents is groundless.

It is also clear that you selected only certain documents, and not others, despite their clear relevance and responsiveness to plaintiffs' document requests. For example, there is an exchange of correspondence between Chris Underwood and Carol Gogue on July 8, 2003 regarding another interested purchaser in the plaintiffs' loan, which is responsive to plaintiffs' first document requests (No. 9), yet was not produced by you. There is also correspondence between Joseph Fang and Chris Underwood as late as November 10, 2003 regarding PMC's purchase of the loan, which was never produced by HSBC.

In your letter you stated that most of the problems I referenced in my letter of February 24, 2004 could be resolved among counsel "with a simple letter." It is not my responsibility to send you letters reminding you and your client to comply with your discovery obligations. More importantly,



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3/8/04

Arriola, Cowan & Arriola
Page 2

Jacques G. Bronze, Esq.
Bronze & Tang, P.C.

Re: Sadhwani et al. v. Hongkong Shanghai
Banking Corporation, Ltd., et.al, District Court
of Guam, Civil Case No. CV03-00036
March 8, 2004

the matters I have written about are not merely "discrepancies", they are utter failures of you and your client to produce what has already been appropriately requested in a Rule 34 discovery request. In my conversation with Richard Pipes shortly after he received my February 24 letter, he admitted that HSBC had miraculously found additional correspondence prior to June 12, 2003. It appears that if I had not written to you regarding the lack of communication prior to June 12, HSBC might never have produced these additional documents. Yet these documents are critical communications concerning PMC's purchase of the plaintiffs' loan, and not mere "discrepancies."

Regarding your contention that I am incorrect in stating that HSBC failed to provide any responses to certain discovery requests, it is important to note that even in your lengthy letter, you make the distinction between "objections" and "responses." While HSBC may have provided numerous objections, the Bank did not, in certain instances, provide responses.

I conducted a cursory examination of the documents produced by PMC last week and am awaiting copies of about three boxes of documents. Please let me know if you want copies of these documents, as they were produced in response to plaintiffs' subpoena duces tecum. If you do, I will make copies of the documents at your expense. In addition, because it appears that many documents provided by PMC are also responsive to certain of plaintiffs' discovery requests to HSBC, we will not pursue a motion to compel at this time. We reserve, however, the right to file a motion to compel upon closer examination of the documents produced by PMC.

You have also asked my availability for the deposition of Chris Felix. I am available the weeks of March 22 (except March 24) and March 29. Regarding depositions, please let me know if you will produce HSBC employees in Guam (Chris Underwood and Fred Granillo) voluntarily or if I will be required to subpoena them for their depositions. In consideration of your being off-island the first part of April, I will hold off taking their depositions until the week of April 19, 2004.

Finally, I have not received any documents from you concerning the subpoena duces tecum you issued to First Hawaiian Bank. If you received any documents, please provide copies of such documents immediately.

Please do not hesitate to contact me if you have any questions or concerns regarding this matter.

Very truly yours,


ANITA P. ARRIOLA

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JACQUES G. BRONZE
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March 9, 2004

VIA: FACSIMILE
(671) 477-9734

Anita P. Arriola, Esq.
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Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

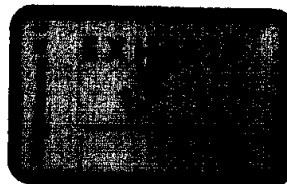
Re: *Sadhwani, et al. v. HSBC, et al.*; Civil Case No. 03-00036

Dear Anita:

I am in receipt of your letter dated March 8, 2004. I will address the first seven paragraphs of your letter in another letter to be forwarded to your office no later than Monday, March 15, 2004. In regards to copies of the banker boxes delivered by HSBC to PMC, I have already indicated to Duncan McCully that he should go ahead and make copies of the documents at HSBC's expense. If it is your office that is making the copies, then proceed in making a copy of all the documents in the boxes at my client's expense. I will need a copy of all receipts in order to promptly pay your clients' expense.

In regards to the deposition of Chris Felix, I will be contacting Mr. Felix to check his availability based on your proposed dates of availability. In regards to producing Messrs. Underwood and Granillo, please be advised that HSBC will make them available for your depositions. Please advise if you're amendable to have Mr. Granillo's deposition also on the latter part of March or early April.

In regards to your consideration of me being off-island, please be advised that I now have concrete dates which I will be away - - that will be between April 7-23, 2004. Due to the available flight schedules, that is the time that I will be away. Thus, I respectfully request amending your proposed date for taking depositions. In addition, please advise who you will be deposing so that I can ensure the availability of the witnesses assuming that they are HSBC officers. In regards to any stateside witnesses, I will prefer to do these depositions this month if you are available. Please advise.



Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
March 9, 2004
Page 2

In regards to the First Hawaiian Bank subpoenaed documents, I will provide you copies of these documents at your clients' expense. Please advise if your clients will pay for these expenses.

I look forward to hearing from you.

Best regards,



JACQUES G. BRONZE

cc: Mr. Chris Underwood

JGB:tc

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Law Offices

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Jacqueline T. Terlaje

March 10, 2004

VIA FACSIMILE: (671) 647-7671

Jacques G. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

**Re: Sadhwani et al. v. Hongkong Shanghai Banking Corporation, Ltd., et.al,
District Court of Guam, Civil Case No. CV03-00036**

Dear Jacques:

This is in response to your letter of March 9, 2004.

Due to the large volume of documents I reviewed at Paradise Marine Corporation last week which refer to Mr. Granillo and certain of the stateside witnesses, I am unable to take the depositions of those witnesses in the latter part of March or early April.

Based on your flight schedule, I can take the depositions of Mr. Underwood and Mr. Granillo the week of April 26, 2004. Thank you for your agreement to produce these witnesses voluntarily for their depositions without my having to subpoena them. I anticipate taking the depositions of other Guam witnesses (e.g., First Hawaiian Bank employees) that week and the first week of May. In the event that I need to take the depositions of other Guam witnesses while you are off-island, please advise if Richard Pipes is available to cover those depositions.

This is to confirm that my clients will pay for the copies of documents produced by First Hawaiian Bank in response to your subpoena duces tecum.

Please contact me if you have any questions or concerns regarding this matter.

Very truly yours,


ANITA P. ARRIOLA

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3/10/04 (7)

Law Offices

Arriola, Cowan & Arriola

Joaquin C. Arriola
Mark E. Cowan
Anita P. Arriola
Joaquin C. Arriola, Jr.

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Jacqueline T. Terlaje

March 16, 2004

VIA FACSIMILE: (671) 647-7671

Jacques G. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

**Re: Sadhwani et al. v. Hongkong Shanghai Banking Corporation, Ltd., et.al,
District Court of Guam, Civil Case No. CV03-00036**

Dear Jacques:

This is to confirm our telephone conversation of Friday, March 12, 2004.

You agreed to produce Chris Underwood and Fred Granillo for their depositions the week of May 3, 2004 without the necessity of my subpoenaing them. You also indicated that you may take the depositions of my clients the second week of May, 2004.

In order to accommodate your schedule, I agreed to take the depositions of certain witnesses residing in Guam beginning on April 28, 2004 through the next week of May 3, 2004.

You also indicated that you would take Chris Felix's deposition on Monday, March 22, 2004. Please provide me with a Notice of Deposition and any subpoena you served on him.

Finally, you indicated that Richard Pipes is unavailable to defend any depositions while you are off-island because he is not a member of the bar of the United States District Court.

Please contact me immediately if the foregoing does not conform to your understanding of our agreement.

FAXED
[Handwritten signature]

Very truly yours,

Anita P. Arriola
ANITA P. ARRIOLA



LAW OFFICES
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BANKPACIFIC BUILDING, 2ND FLOOR
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JACQUES G. BRONZE
JERRY J. TANG

March 17, 2004

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VIA: FACSIMILE
(671) 477-9734

Anita P. Arriola, Esq.
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Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

Re: **Sadhwani, et al. v. HSBC, et al.**; Civil Case No. 03-00036

Dear Anita:

I am in receipt of your letter dated March 16, 2004. In regards to the proposed depositions of Mr. Chris Underwood and Mr. Fred Granillo, please advise on the specific dates in early May you will be deposing these individuals. In regards to the proposed deposition of Mr. Chris Felix proposed for March 22, 2004, please be advised that I am attempting to reschedule this deposition for March 25 or March 29, 2004, due to unforeseen scheduling conflicts. Mr. Felix is currently off-island, however, I have forwarded a letter notifying him of the proposed dates and I will be contacting him on March 22, 2004, to confirm the new proposed dates contained in this letter. The letter of March 8, 2004, indicated that you were available on the new proposed dates. If not, please advise.

Again, I apologize for any inconvenience the change in Mr. Felix's deposition schedule may have caused you. Please feel free to contact me if you have any questions regarding the above matter.

Best regards,


JACQUES G. BRONZE

JGB:lc

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Law Offices

Arriola, Cowan & Arriola

Joaquin C. Arriola
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Jacqueline T. Terlaje

March 17, 2004

VIA FACSIMILE: (671) 647-7671

Jacques G. Bronze, Esq.
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2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

**Re: Sadhwani et al. v. Hongkong Shanghai Banking Corporation, Ltd., et.al,
District Court of Guam, Civil Case No. CV03-00036**

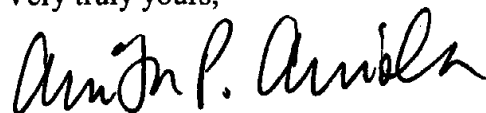
Dear Jacques:

This is in response to your letter dated March 17, 2004.

The deposition of Fred Granillo will be taken on May 3, 2004. The deposition of Chris Underwood will be taken on Wednesday, May 5, 2004. I am still available on March 25 or March 29 for the deposition of Mr. Chris Felix. Please let me know as soon as you know when his deposition will be taken.

The address and the phone number that you provided in HSBC's Supplemental Initial Disclosures for Mr. Lawrence R. Zhang are no longer correct. Please provide an updated address or phone number.

Very truly yours,



ANITA P. ARRIOLA

APA/ctt



FAXED
3/17/04

JOAQUIN C. ARRIOLA
ANITA P. ARRIOLA
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Attorneys for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES
DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU
SADHWANI, and K. SADHWANI'S
INC., a Guam corporation,

Plaintiffs,

vs.

HONGKONG AND SHANGHAI
BANKING CORPORATION, LTD., a
Foreign corporation,
JOHN DOE I through JOHN DOE X,

Defendants.

CIVIL CASE NO. 03-00036

NOTICE OF DEPOSITION

TO: DEFENDANT HONGKONG SHANGHAI BANKING CORPORATION AND ITS
COUNSEL OF RECORD JACQUES G. BRONZE:

PLEASE TAKE NOTICE that plaintiffs will take the deposition of **CHRIS UNDERWOOD**
on the 5th day of May, 2004 at 9:00 a.m. The deposition will be taken at the law offices of
ARRIOLA, COWAN & ARRIOLA, 259 Martyr Street, Suite 201, Hagatna, Guam.

The deposition shall be taken before a notary public or other authorized by law to administer
oaths. The deposition will be recorded by videotape, audiotape, and/or stenographic means.

DATED: March 19, 2004

ARRIOLA, COWAN & ARRIOLA

By: Anita P. Arriola
ANITA P. ARRIOLA
Attorneys For Plaintiffs

BRONZE & TANG, P.C.
Date: 03/19/04
Time: 4:35 PM
Received: A

CERTIFICATE OF SERVICE

I, ANITA P. ARRIOLA, hereby certify that on March 19, 2004, I caused to be served via hand delivery, a **NOTICE OF DEPOSITION** to:

**Jacques A. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913**

Dated this 19th day of March, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

JOAQUIN C. ARRIOLA
ANITA P. ARRIOLA
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Attorneys for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES
DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU
SADHWANI, and K. SADHWANI'S
INC., a Guam corporation,

Plaintiffs,

vs.

HONGKONG AND SHANGHAI
BANKING CORPORATION, LTD., a
Foreign corporation,
JOHN DOE I through JOHN DOE X,

Defendants.

CIVIL CASE NO. 03-00036

NOTICE OF DEPOSITION

TO: DEFENDANT HONGKONG SHANGHAI BANKING CORPORATION AND ITS
COUNSEL OF RECORD JACQUES G. BRONZE:

PLEASE TAKE NOTICE that plaintiffs will take the deposition of **FRED GRANILLO** on
the 3rd day of May, 2004 at 9:00 a.m. The deposition will be taken at the law offices of
ARRIOLA, COWAN & ARRIOLA, 259 Martyr Street, Suite 201, Hagatna, Guam.

The deposition shall be taken before a notary public or other authorized by law to administer
oaths. The deposition will be recorded by videotape, audiotape, and/or stenographic means.

DATED: 3/19/04

ARRIOLA, COWAN & ARRIOLA

By: Anita P. Arriola

ANITA P. ARRIOLA
Attorneys For Plaintiffs

BRONZE & TANG, P.C.
Date: 03/19/04
Time: 4:38 p
Received: 2

CERTIFICATE OF SERVICE

I, ANITA P. ARRIOLA, hereby certify that on March 19, 2004, I caused to be served via hand delivery, a **NOTICE OF DEPOSITION** to:

**Jacques A. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913**

Dated this 19th day of March, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

ALAN SADHWANI, LAJU SADHWANI, and K.
 SADHWANI'S INC., a Guam corporation,

Plaintiffs,

SUBPOENA IN A CIVIL CASE

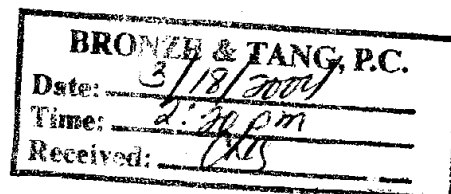
vs.

Case Number: 03-00036

HONGKONG AND SHANGHAI BANKING
 CORPORATION, LTD., a Foreign corporation, JOHN
 DOE I through JOHN DOE X,

Defendants

TO: **Joseph K. Fang**
Paradise Marine Corporation
P.O. Box 8246, Tamuning, Guam 96931
Lot 4 1052 Cabras Highway, Piti, Guam



- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION Arriola, Cowan & Arriola 259 Martyr Street, Ste. 201, Hagatna, Guam	DATE AND TIME April 28, 2004 9:00 am
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- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
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- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OF DEFENDANT) <i>Anita P. Arriola</i> , Attorney for Petitioner	DATE AND TIME March 17, 2004
ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER Anita P. Arriola Arriola, Cowan & Arriola, 259 Martyr Street, Ste. 201, Hagatna, Guam, (671) 477-9730~33	

(See Rule 45, Federal Rules of Civil Procedure, Pam C & D on next page)

If action is pending in district other than district of issuance, state district under case number.

LAW OFFICES
BRONZE & TANG
A PROFESSIONAL CORPORATION
BANKPACIFIC BUILDING, 2ND FLOOR
825 SOUTH MARINE DRIVE
TAMUNING, GUAM 96913

JACQUES G. BRONZE
JERRY J. TANG

TELEPHONE: (671) 646-2001
TELECOPIER: (671) 647-7671

March 23, 2004

VIA: FACSIMILE
(671) 477-9734

Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

Re: Sadhwani, et al. v. HSBC, et al.; Civil Case No. 03-00036

Dear Anita:

In regards to the deposition of Mr. Chris Felix, I apologize that I couldn't get back with you yesterday due to the fact that I had out of the office meetings all day yesterday. In any event, Mr. Felix has indicated that he is not available on March 25 or March 29, 2004, however, he is available on April 1 or 2, 2004. I am available for either day, but only in the afternoon. Please advise if you are available in the afternoon of the aforementioned dates.

In regards to the deposition of Mr. Joseph Fang, please be advised that the proposed May 7, 2004, deposition date is fine with me.

In regards to all the proposed depositions, HSBC reserves its right to conduct future depositions of the same witnesses should the District Court rule in your favor and permit your clients to file an Amended Complaint. In addition, your Notice of Deposition provides that the deposition will be by "video tape," "audio tape," and/or "stenographic means," however, I would like to know beforehand by which means you intend to conduct your depositions. See, FRCP 30(b)(2). I would appreciate you informing me of this as soon as possible.

Please feel free to contact me if you have any questions regarding the above matter.

Best regards,


JACQUES G. BRONZE

cc: Mr. Chris Underwood
JGB to
D:\CLIENTS FILES\HSBC-Sadhwani\LitvA.Arriola-Ltr.24.doc

JOAQUIN C. ARRIOLA
ANITA P. ARRIOLA
ARRIOLA, COWAN & ARRIOLA
259 Martyr Street, Suite 201
Hagåtña, Guam 96910
Tel: (671) 477-9730
Fax: (671) 477-9734

Attorneys for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES
DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU
SADHWANI, and K. SADHWANI'S
INC., a Guam corporation,

Plaintiffs,

vs.

HONGKONG AND SHANGHAI
BANKING CORPORATION, LTD., a
Foreign corporation,
JOHN DOE I through JOHN DOE X,

Defendants.

CIVIL CASE NO. 03-00036

AMENDED NOTICE OF
DEPOSITION

TO: DEFENDANT HONGKONG AND SHANGHAI BANKING CORPORATION AND
ITS COUNSEL OF RECORD JACQUES G. BRONZE:

PLEASE TAKE NOTICE that plaintiffs will take the deposition of JOSEPH K. FANG on
the 7th day of May, 2004 at 9:00 a.m. The deposition will be taken at the law offices of
ARRIOLA, COWAN & ARRIOLA, 259 Martyr Street, Suite 201, Hagatna, Guam.

The deposition shall be taken before a notary public or other authorized by law to administer
oaths. The deposition will be recorded by videotape, audiotape, and/or stenographic means.

DATED: March 25, 2004.

ARRIOLA, COWAN & ARRIOLA

By: Anita P. Arriola
ANITA P. ARRIOLA
Attorneys For Plaintiffs

BRONZE & TANG, P.C.	
Date:	3-25-04
Time:	1:00
Received:	re

CERTIFICATE OF SERVICE

I, ANITA P. ARRIOLA, hereby certify that on March 25, 2004, I caused to be served via hand delivery, a **AMENDED NOTICE OF DEPOSITION** to:

**Jacques A. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913**

Dated this 25th day of March, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

LAW OFFICES
BRONZE & TANG
A PROFESSIONAL CORPORATION
BANKPACIFIC BUILDING, 2ND FLOOR
825 SOUTH MARINE DRIVE
TAMUNING, GUAM 96913

JACQUES G. BRONZE
JERRY J. TANG

TELEPHONE: (671) 646-2001
TELECOPIER: (671) 647-7671

March 29, 2004

VIA: FACSIMILE
(671) 477-9734

Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

Re: *Ex Parte Application for Issuance of Letter of Request*

Dear Anita:

I am in receipt of your letter dated March 29, 2004, including the attached *Ex Parte* pleading documents in support of the issuance of your clients' letter of request to take the depositions of Magus Montan and Christopher Page in Hongkong.

HSBC does not oppose your *Ex Parte* application, however, it reserves all rights and defenses to the issuance of the proposed letters of request. In addition, please be advised that I would like to be provided notice of the hearing date and this letter serves as notification that I intend to appear at the hearing.

Please feel free to contact me if you have any questions regarding the above matter.

Best regards,


JACQUES G. BRONZE

cc: Mr. Chris Underwood

JGB:tc

D:\CLIENTS FILE\HSBC-Sachwan\Lara A. Arriola-Ltr.25.doc

